

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

WP(C).No. 1354 of 2007(J)

PETITIONER:

S.RADHAKRISHNAN NAIR, S/O.
R.SIVARAMAPILLAI, AGED 55 YRS,
KOTTAKKAKATHU VEEDU, TITTAMEL WARD,
CHENGANNUR P.O. (RETD. INSPECTOR, K.S.R.T.C.)

BY ADV. SRI.M.R.SUDHEENDRAN

RESPONDENTS:

THE MANAGING DIRECTOR,
KERALA STATE TRANSPORT CORPORATION,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 1354 of 2007

Dated this 23rd day of January, 2007

JUDGMENT

The petitioner, who retired from the service of the KSRTC only on 28.2.2006, is seeking out of turn release of his retiral benefits on the ground that he is surety to his son in a loan transaction with the Catholic Syrian Bank Ltd. Chengannur and that the Bank has already instituted an original application before the Debt Recovery Tribunal. As rightly submitted by the learned Standing Counsel for the KSRTC, the Debt Recovery Tribunal is yet to pass final orders in the O.A. The proceedings for sale of the properties of the petitioner which are said to be mortgaged in favour of the Bank as a security for the loan availed by the petitioner's son will be initiated only after recovery certificate is issued.

Giving liberty to the writ petitioner to approach this court again when it is seen that the Bank is initiating proceedings for sale of his properties, this writ petition will stand disposed of.

PIUS C.KURIAKOSE
Judge

dpk

WPC No

2